

REMARKS

Summary of Amendments

1. Claim 1 has been amended to incorporate the limitations of claim 2. Claim 19, a new claim that is original claim 1 rewritten to incorporate the limitations of claim 3, has been added. Accordingly, claims 2 and 3 have been canceled, as has claim 7, which depended from claim 2, and the dependency of claims 4, 5 and 8 has been revised. Finally, claim 12 has been amended to accord with the amendments to claim 1, its parent claim. Claims 1, 4-6, and 8-19 are pending.

Claim Rejections – 35 U.S.C. § 112

2. The Office has alleged that the claim 14 recitation, "the pores have an average diameter less than the thickness of the sinter laminae" fails to comply with the written description requirement. This rejection is respectfully traversed, because a person skilled in the art would recognize that this recitation is not an attempt to extend the present invention as possessed by the inventors as of the filing date of this application, but is inherent from the original description. Indeed, the recitation is intended to further comply with the requirement under 35 U.S.C. § 112 to "particularly point out and distinctly claim" Applicants' inventive subject matter, by distinguishing that the term "porosity" as intended in the present application does not read on "mesh," as the Office has contrarily continued to insist the term does.
3. As Applicants argued in their September 6, 2006 reply to the previous Office action, a structure in which "pores have an average diameter less than the thickness of the sintered laminae" is inherent in a sinter laminae, in contradistinction to a mesh, because the average pore diameter in a mesh is at least equal to the thickness of the mesh, and typically much greater than the thickness of the mesh.

Claim Rejections - 35 U.S.C. § 102

4. Claims 1, 2, 4, 6, 7, 9, 11-12 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Harada et al.* (WO 0154188).
5. Applicants respectfully submit that claim 1 has been amended in such a manner that *Harada et al.* cannot be said to disclose each and every limitation of the claim.

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Amendment dated September 4, 2006
Reply to Office action of May 4, 2006

Claim Rejections – 35 U.S.C. § 103

Claims 1-18; Shamoulian et al. '958 in view of Heimann et al. '707

6. Claims 1-18 stand rejected under 35 USC 103(a) as being unpatentable over *Shamoulian et al.* (U.S. Pat. No. 6,494,958) in view of *Heimann et al.* (U.S. Pat. No. 6,620,707).

Claims 1-18; Kuibira et al. '911 in view of Heimann et al. '707

7. Claims 1-18 stand rejected under 35 USC 103(a) as being unpatentable over *Kuibira et al.* (U.S. Pat. No. 20020007911) in view of *Heimann et al.*

Claims 1-18; Niori et al. '246 in view of Heimann et al. '707

8. Claims 1-18 stand rejected under 35 USC 103(a) as being unpatentable over *Niori et al.* (U.S. Pat. No. 6,197,246) in view of *Heimann et al.*
9. Addressing these rejections concurrently, Applicants respectfully assert that in the present invention, the porosity is adjusted not only according to the addition quantities of binder and solvent, but also according to how much binder/solvent volume is added. The prior art of record, in contrast, while mentioning the addition of binder and solvent in making the paste, is silent as regards to what levels these ingredients are added.

Accordingly, Applicants believe that this application is now in full condition for allowance, which action Applicants earnestly solicit.

Respectfully submitted,

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